

INITIATIVE AND REFERENDUM URGED BY McDONALD

Important Constitutional Changes Recommended in Governor's Message to First New Mexico State Legislature.

LOCAL OPTION LIQUOR LAW IS SUGGESTED

Executive Would Abolish Coal Oil Inspector, Insurance Superintendent and Parole Officer.

ADVISES CONSOLIDATION OF EDUCATIONAL BOARDS

Recommends That All Property Be Assessed at Its Full Valuation; Inheritance Tax and Income Tax Amendment.

- Important recommendations by Governor McDonald: The removal of the language qualification from the constitution, Constitutional amendment to provide for the initiative and referendum, Amendment providing for more equitable tax apportionment, The consolidation of certain educational institutions and governing boards, The creation of a state banking commission, The abolition of the offices of coal oil inspector, superintendent of insurance and parole officer, The creation of a legal holiday to be known as Coronado Day, Free text books, The Australian ballot, Increase of the mounted police, A local option liquor law applying to counties and cities, Stricter penalizing of gambling, An inheritance tax, Direct primaries, including advisory primaries for United States senators, Ratification of the income tax amendment, A corrupt practices act, Publicity and limitation of campaign expenses.

(Special Telegram to Evening Herald) Santa Fe, N. M., March 12.—The second day of the first state legislature was devoted almost entirely to the reading of Governor McDonald's first message. It is too early to obtain any general consensus of opinion upon the message, but the mass of comment heard this afternoon is to the effect that the document is dignified and business-like and that it contains many recommendations of value to the state and likely to be heard by the assembly.

Both branches of the legislature assembled at 10 o'clock this morning. A committee from the senate consisting of Senators Holt, Romero and Pankey, waited upon the house and informed that body that the senate was prepared to enter into joint session for the purpose of receiving the executive message. A like committee from the house, consisting of G. T. Toombs, C. L. Hilton and J. W. Melgren, visited the senate chamber. The senate thereupon entered the hall of the house, Speaker Bacon yielding the floor to the lieutenant-governor, Senators Holt, Romero and Hinkle and Representatives Bacon, Lopez and Llewellyn were named as a committee to wait upon the governor and escort him to the hall. The legislators arose and remained standing as the governor was ushered into the hall. His appearance was greeted with a round of hearty applause from members and visitors. Governor McDonald read his message with his usual clear delivery, interspersing it with remarks to the legislators.

The message contains 31 closely typewritten pages. In presenting the message the governor said: "You are resting under the highest responsibility ever imposed upon a New Mexico legislature, and the result of your work will be of the greatest importance in shaping the future destinies of our state. It is for you to decide how well equipped we shall appear for self-government in the eyes of all countries. This responsibility can not be shirked or evaded. Partisan play and the consequent confusion can not possibly shield those who would lightly consider the needs of our state at this critical time in its history."

"Our laws must be made not only to serve the needs of our people, but must also be so drawn that they will conform to the limitations prescribed by our constitution. That constitution requires careful study and interpretation, so that we shall not enact laws in conflict with its provisions. And in some instances the constitu-

tion itself may have to give way by amendment to the demands of the people in its adjustment to the legislation which they believe they may need."

**Finance.** Taking up the state finances, the governor stated that there was a balance of \$542,945.35 December 1, 1911. Schools and Educational Management

The governor discussed at considerable length the state educational institutions and recommended that several of the present ones be consolidated in order to reduce expenses and prevent preparatory and other courses being in conflict. He made special mention of the School of Mines at Socorro, where he said the attendance was small, and where, he asserted, several courses besides mining were taught that could be taught at the university. He recommended several changes in the College of Agriculture and Mechanical Arts at Las Cruces, and he recommended that one board of regents direct the affairs of the nine educational institutions, instead of separate boards for each school.

**County Money.** The governor called attention to the fact that laws were needed, in his estimation, to secure for counties a proper interest on monies in their treasuries, and he urged the legislature to enact laws to that end.

**Public Institutions.** The governor recommended that one board be provided to direct the affairs of the penitentiary, miners' hospital, insane asylum, reformatory and similar institutions, declaring that he believed in this manner the work could be expedited and much expense saved. He gave his approval to a recommendation by J. B. McManus, superintendent of the penitentiary, for a convict farm to be owned by the state. He said that while the insane asylum, where there is a farm, was running within its appropriation, the penitentiary needed an increased appropriation, because of the added number of inmates, the need for a new and sanitary kitchen, general repairs and the rebuilding of the stables recently destroyed by fire.

**Banks and Banking.** Commenting upon the recent failure of several banks in New Mexico, the governor declared that he favored a state banking board, or commission, such as exist in thirty-eight other states at this time. He recommended that the governor, the treasurer and the attorney general be constituted such a board, to save expense and to enforce the laws. He also urged the adoption of a new and uniform set of banking laws, with provision for severe penalties for violations of these laws. He also called attention to the fact that section 254 of the Compiled Laws of 1907 with reference to those engaged in banking was frequently being violated, and suggested that a penalty be attached to this law, providing for imprisonment, in order to better enforce it.

**County Salaries.** The governor devoted some time to the question of county salaries, and recommended that the legislature give the matter its most careful consideration and fix salaries of county officials in a manner just and equitable to the office holders and taxpayers alike, and commensurate with the service rendered and with the customs of private business.

**Assessments.** The message dealt also at length with the matter of assessments. The governor recommended that taxable property in New Mexico be assessed at its full cash value, which he said would reduce the levy to three mills, and make the tax in the state more just to all concerned. He recommended that the board of equalization be given the power to investigate with details of assessments and be given power to remove assessors who do not comply with the law.

**State Museum.** The governor recommended that the old Palace of the Governors at Santa Fe be used as a state museum, and that all the collections of the Historical society and other relics in the possession of the state be placed therein.

**Education.** The governor discussed the public schools of the state, and while he praised the excellent schools in many cities and towns he urged upon the legislators the necessity of providing at once for at least five months school term in many of the rural districts, at least 13 of which now have no schools at all, and many of which have but from one to three months a year. The governor called attention to the fact that about 20,000 children have no educational advantages, and he urged that they be given first consideration. He recommended a complete new set of school laws and a repeal of all conflicting statutes.

**Public Lands.** The governor urged upon the legislature the necessity for laws for a proper and just administration of the twelve millions acres of public land.

**Insurance Commissioner.** The governor recommended the abolishment of the office of insurance commissioner, combining its duties with some other office.

**Parole Officer.** The governor recommended that the parole officer who is paid \$75 a month out of convicts' earnings, be abolished.

**Coal Oil Inspector.** The governor recommended that the office of coal oil inspector also be abolished. He said that the fees which were charged against oil companies were added to the retail price of oil.

**Traveling Auditor.** The governor said that he had received no report from the former traveling auditor, and that he could not at this time discuss the details of that office. He said, however, that it had been represented to him that an auditor and one assistant could not do the work, and he recommended an additional deputy in that office.

**Mounted Police.** An increase in the mounted police force was recommended, because of trouble on the border, the increase of

To the People of Albuquerque and of New Mexico:

Your attention is called, respectfully, to the announcement by the Herald Publishing company, which appears at the head of the editorial column of this newspaper today, giving formal notice of the sale of the Albuquerque Evening Herald to the undersigned, James S. Black and H. B. Hening. The sale takes effect under date of March 11th, and with this issue the undersigned take full charge of the property. The name of the newspaper will remain "The Albuquerque Evening Herald," and it will be published every afternoon except Sunday.

Mr. Black has been a resident of Albuquerque for more than fifteen years. During all of that time he has been engaged in active newspaper work. For several years past he has been the managing editor of the Albuquerque Morning Journal. Mr. Hening has been a resident of Albuquerque for eleven years and during the greater part of that time has been engaged actively in newspaper work. With ample opportunity for first hand study of the newspaper field both in Albuquerque and throughout New Mexico, and with thorough knowledge of conditions in that field, we have concluded that there is an opening here for an afternoon newspaper of the highest class and that the demand of the newspaper reading public will fully justify such a newspaper.

It is our purpose to publish just that kind of a newspaper. We take over the business without restrictions of any kind as to its editorial or business policy. We have no interests to serve other than those of the public who buy the newspaper. We have no enemies to punish; no special or personal political or business interests to advocate or oppose. The newspaper will be independent in the fullest sense of the term. We do not intend to undertake great reforms or to seek for sensational effects. We intend to do our duty by the public who are our patrons and to give them full value received every day. Our first and most important aim, which will never be lost sight of for a moment, will be to publish a newspaper which the people of Albuquerque and New Mexico will buy because it is a good newspaper—good every day; giving all of the news just as it occurs, without bias or color, and covering every department of the news field, general, local and state, in the most efficient and most satisfactory manner. We believe that a properly conducted newspaper may be made of material benefit in forwarding the development of a community and a state; and that it may be a power for good. We will seek to conduct this newspaper so that it may at all times have the greatest influence for the upbuilding of Albuquerque and the new state of New Mexico. With this as our policy we bespeak the support of our friends in Albuquerque and the state, and the support of the newspaper reading public of New Mexico for the Evening Herald. We intend to furnish you a newspaper which will merit that support.

Very Respectfully, JAMES S. BLACK H. B. HENING.

COAL OPERATORS AND MINERS IN CONFERENCE

(By Evening Herald A. P. Leased Wire) London, March 12.—The British owners and coal miners sat in conference under the presidency of Premier Asquith at the foreign office for three and a half hours without reaching a basis for a settlement of the dispute. The meeting adjourned until 11 o'clock tomorrow morning. Sir Edward Grey, Sidney Buxton and Sir George Asquith participated.

IMPORTERS CAN APPEAL FROM DUTY ASSESSMENT

(By Evening Herald A. P. Leased Wire) Washington, March 12.—A decision declaring that an importer can appeal from an assessment of duty by a collector of customs on the ground that the assessment was too low, was rendered by the United States court of customs appeals today. The decision, according to customs experts, means that manufacturers can import a test shipment and appeal to the customs court to get more protection through higher duties.

ASSOCIATED OIL TANK STEAMER IS ON ROCKS

(By Evening Herald A. P. Leased Wire) Galveston, Cal., March 12.—The tank steamer Rosacoma of the Associated Oil company, went on the rocks here early today and one sailor was drowned in an attempt to reach shore in a small boat. The Falls of Clyde, an Associated Oil company sailing vessel, is flying signals of distress.

LOVETT ANNOYED AT REPORTS OF ILLNESS

(By Evening Herald A. P. Leased Wire) Salt Lake City, March 12.—Judge H. S. Lovett, chairman of the executive committee of the Union Pacific Railroad company, was very much annoyed this morning over the rumors printed in the newspapers here that he was seriously ill. He was up early this morning and attended a meeting with local officers of the Harriman system. Judge Lovett and party left here at 10 o'clock for the east.

WEATHER FORECAST

(By Evening Herald A. P. Leased Wire) Denver, Colo., March 12.—Colorado: Generally cloudy, with snow in west portion tonight or Wednesday; warmer in south-west portion tonight, rising temperature in east portion. New Mexico: Tonight generally fair; Wednesday cloudy, with rain or snow in northwest portion.

(Continued on Page 2, Column 4.)

REHEARING LIKELY IN MONOPOLY CASE

On the Ground That Full Bench Had Not Passed on Matter, New Trial Will Be Demanded.

(By Evening Herald A. P. Leased Wire) Washington, March 12.—Attorney General Wickham indicated today that there is a strong likelihood of a re-hearing being asked of the supreme court in the "patent monopoly" case, decided yesterday by a divided bench, four to three. He said he had taken the matter up with the parties at issue. The government, not being a party to the suit, can act only through the defeated parties. The re-hearing would be asked on the ground that a full bench had not passed on the case.

TODAY IN CONGRESS

(By Evening Herald A. P. Leased Wire) Senate. In session at 2 P. M. Finance committee agreed to vote Thursday on house steel tariff revision bill. House. Met at noon. Freight rates of the steel corporation's railroad subsidiaries were explained to Stanley investigating committee by G. M. Proer. Representative Littleton announced he would introduce bill to meet the "legalized monopoly" patent decision handed down by the supreme court. Brigadier General Rogers, insular bureau chief, told the committee investigating Major Ray case that he assumed responsibility for the delay in transmitting some of the papers in the case. Adopted resolution calling on department of justice to make known whether it was investigating the "smelter trust."

DECLINES TO TAKE CASE FROM THE JURY

Chicago, March 12.—United States District Judge Carpenter today declined to take from the jury the case of the ten Chicago packers charged with conspiracy in maintaining a combination in restraint of trade under the Sherman law, and discharge the defendants.

POLICE USE DRAWN SABERS IN GERMANY

Two Thousand Striking Coal Miners Attack Officers on Guard; Crowds Dispersed by Officers.

(By Evening Herald A. P. Leased Wire) Berlin, March 12.—Five policemen and many strikers were injured in a riot near Hamburg, district of Dusseldorf, today, in which 2,000 striking coal miners attacked the forty officers on guard with revolvers and stones. The police charged with drawn sabers. Collisions between strikers and police and non-strikers occurred today in six or eight localities in the coal regions. At several places workers were stoned and the police used their sabers in dispersing the strikers.

JUAREZ RACES

(By Evening Herald A. P. Leased Wire) Juarez, Mexico, March 12.—Weather clear; track slow. First race, one mile: Defy, 83 (Hill), 8 to 1, won; Zahara, 108 (Haddock), 5 to 1, second; Lily Paxton, 104 (Toplin), 3 to 1, third. Time, 1:40 2-5. Lehigh, Dottie B., Port Arlington, Louisa and The Peer also ran.

JUAREZ, MEXICO, MARCH 12.—ENTRIES FOR TOMORROW:

First race, purse, maidens two-year-old, four furlongs: Bella, Oldemobile, Katty Connor, Bully, MossRose, Maggie Cunningham, Daylight, 107; Old Gibraltar, Bel. Province, 110; Rosa Rabble, 112; Miss Hobert, 107; Buia Welsh, 107. Second race, selling, fillies and mares, five and a half furlongs: The Visitor, 88; Acquin, 92; \*Amohanko, 93; Eva Padwick, Co-Ed, 100; Hazel Garne, Orbn Smile, 104; Lady Stairway, 110. Third race, selling, six furlongs: \*Dorset, 105; Roseworth, Cry Baby, Louise B., 107; Jim Mc., 109; Dactylia, Belle of the Bay, 110; George Guyton, Bitter Sir, Barney Oldfield, Julie Cabalita, Swede Sam, St. Orloff, 111 Meter, Pacific, 112. Fourth race, selling, six furlongs: Tourist, 103; Butter Ind, Salih, 105; John Griffin, H., 106 \*Dejaney, 108. FIVE races, selling, one mile and an eighth: \*J. M. Eckert, 103; Rake, 104; Phil Pat, 107; Jim Cafferata, 108. Sixth race, selling, six furlongs: Cheas, Duchess Phillippe, 107; Flying Pearl, Louise Milotte, Ruberta, 110; James Blackstock, Layalister, Port Johnson, Fleeting Sam Barber, Carroll, Cincinercy, 112; Traveler High Range, 111.

—Apprentice allowance.

OROZCO WILL HAVE REPRESENTATIVES OF REVOLUTION IN WASHINGTON

Two Well Known Attorneys of Chihuahua Are on Their Way to Place Before President Merits of Cause.

"REFORM, LIBERTY AND JUSTICE" IS SLOGAN

(By Evening Herald A. P. Leased Wire) Chihuahua, Mex., March 12.—After the manner of Madero and his followers, Pascual Orozco and the revolutionists he leads, are to have their representatives at Washington. Manuel Lujan and Juan Prieto Quiemper, both well known local attorneys, left this morning for the American capital to place before President Taft the merits of the revolutionary cause. The commission was named by Orozco and his counselors in the belief that the beligerency might be recognized. "Reform, liberty and justice," hereafter will be the concluding words of all official documents in that zone controlled by rebels instead of "Effective suffrage, no re-election," substituted by Madero during his revolution for the "liberty and constitution," used throughout the Diaz regime. The change was ordered by Governor Felipe Gutierrez today in an official decree. The new governor of Chihuahua is a conservative. He has refused permission to hold prize fights in the arena although American promoters of the sport there offered to pay handsomely for the privilege. Gutierrez replied that more honorable means must be used to augment the revolutionary fund. Orders were issued at Orozco's headquarters this morning to send south a train load of horses to the men of Salazar's column which yet is moving slowly on "hot" towards the little federal garrison at Santa Rosalia in the Camargo district. A small escort accompanying the horse train will join the column. It is probable that Rojas and his force will be sent back to Juarez to strengthen the garrison there. Orozco himself may not leave Chihuahua until the main body of his forces has pushed back the federals from Jimenez, about half way to Torreon.

Juan Sarabia who has been here conferring with Orozco and the members of the central junta in behalf of members of the liberal party whose candidate for the vice presidency was Fernando I. Calderon, left here this morning for El Paso, from where he probably will return to Mexico City. Orozco has remained firm in his statements that it is too early to name even a provisional president, not even Emilio Vasquez Gomez. There are now here three members of the central junta, David de la Fuente, Policarpo Rueda and Paulino Martinez. Improvement in the industrial situation has been shown by the arrival here of a quantity of coal and coke, which will enable the smelter to continue operations. Mining is yet endangered by the inability to import dynamite.

Juan Sarabia who has been here conferring with Orozco and the members of the central junta in behalf of members of the liberal party whose candidate for the vice presidency was Fernando I. Calderon, left here this morning for El Paso, from where he probably will return to Mexico City. Orozco has remained firm in his statements that it is too early to name even a provisional president, not even Emilio Vasquez Gomez. There are now here three members of the central junta, David de la Fuente, Policarpo Rueda and Paulino Martinez. Improvement in the industrial situation has been shown by the arrival here of a quantity of coal and coke, which will enable the smelter to continue operations. Mining is yet endangered by the inability to import dynamite.

AMERICANS ARE ROBBED BY MEXICAN REBELS

El Paso, Tex., March 12.—Armed Mexican rebels crossed the river into El Paso county yesterday afternoon and took five horses and a saddle from residents of the United States near Fabens, Texas. E. L. Despaux, a real estate man who was at Fabens yesterday brought the report of the raid today. Eugene Perez, manager of a store at Fabens lost the saddle and a horse and the other animals were taken from Mexicans working in fields on the Texas side of the international border.

WASHINGTON HEARS OF FEDERAL VICTORY

Washington, March 12.—Rumors that Mexican federal troops had engaged the revolutionists in battle near Torreon and had won a victory reached the state department here today. The report came from Consul General Hanna at Monterrey, who said he heard that Torreon had been relieved. From southern Mexico official advisers tell of revolutionary activities at Juarez.

Two small bands of marauders are said to be roving about the state. In Guadalajara, the capital, 1,000 rebels are reported to be holding sway. The reports say, however, that they are not considered dangerous.

It is reported that Henry C. Hanna is well and safe at Durango. Railway communication with that city, however, is still interrupted. Senator Culberson of Texas today arranged to discuss with President Taft tomorrow the situation in Mexico and the need for more troops on the border.

Many telegrams from chambers of commerce in Texas cities asking for more troops have been received by the war department.

MILLER AND EDWARDS RETIRE AS DIRECTORS

(By Evening Herald A. P. Leased Wire) St. Louis, March 12.—Henry I. Miller of New York and H. F. Edwards of St. Louis were retired as directors of the Missouri Pacific Railway company and were succeeded by Jacob H. Metcalf and Jay Gould at the annual meeting of the stockholders today.

LUMBERMEN MEET IN ALBUQUERQUE IN EIGHTH ANNUAL SESSION

First Day Devoted to Transaction of Business and Reading of Papers by Experts.

BANQUET AT ALVARADO HOTEL THIS EVENING

Albuquerque was invaded today by a big bunch of lumbermen of New Mexico, Arizona and West Texas, here to attend the eighth annual meeting of the Lumbermen's Association of Arizona and New Mexico today and tomorrow. The lumbermen are all sizzlers and more than that they all belong to the Hoo-Hoo and will turn the town inside out before they leave for their homes tomorrow night. The first day of the annual meeting was taken up today with business sessions. A banquet will be tendered to visiting and local members of the association in the Alvarado hotel tonight, the affair being complimentary by the American Lumber company of Albuquerque. Tomorrow afternoon the visitors will be the guests of the lumbermen of Albuquerque on a joy ride. Every available 4-horse power machine in Albuquerque will be pressed into service and the lumbermen will be taken up hill and down dale around Albuquerque; out to the mountains; back down the valley and around the loop, with frequent stops at places of interest. The order of business tomorrow will be the election of officers for the ensuing year and the selection of a place to hold the next annual meeting. Present indication are that El Paso will be the successful bidder for the honor of entertaining the association in 1913. But the chief event tomorrow outside of the joy ride will be the Hoo-Hoo competition. This event of events will begin to happen promptly at 7:30 and will be under the direction of no less a celebrity than G. E. Cavin, vice-president of all New Mexico. The program has been staying up nights for many days a week, thinking of ways of torturing the candidates who are to tread the thorny path to the honors to be bestowed at the conclusion. The Odd Fellows' hall, newly constructed and sound in every particular, has been selected as the place for the initiatory ceremonies. Have behind locked doors, with lights turned low and guards posted at each end and every exit the unfortunate victims who wish to join the organization will be put through the most terrible stunts. Details of the stunts will not be available for publication until after the initiation for fear the candidates would develop a fever. The stunts—Mr. Cavin of Roswell will be assisted in his laborious duty by the following degree team: Junior Hoo, G. W. Grenger; Senior Hoo, F. M. Hayner; Scrivenster, E. S. Barrow; Bojorn, R. A. Whitlock; Arcaopner, W. E. Miller; Custocation, J. T. Fletcher; Gordon, F. L. Austin. If the degree team cannot handle the candidates, appeals for assistance will be made to the initiated. The officers of the Lumbermen's association, to succeed whom officers will be elected tomorrow, are as follows: President, J. F. Hinkle of Roswell; vice president, H. G. Bush of Deming; secretary and treasurer, R. A. Whitlock, El Paso; directors for Texas, M. C. Edwards and R. W. Loner, El Paso; for New Mexico, M. S. Groves, Carlsbad, E. R. Hart, Clovis; directors for Arizona, Albert Stacey and J. H. Baker, both of Douglas. Roswell entertained the association last year.

Business Today.

The principal order of business today was the reading of the minutes of the last convention, followed by the address of the president and reports of the secretary and treasurer. Committees were appointed to look after the program for tomorrow. Papers were ready today on "New Mexico," by Mr. P. V. Fardin of Artesia; and on "Yard Management," by Mr. G. E. Cavin of Roswell. Mr. George W. Grenger, a veteran lumber man of Las Cruces read a paper on "Contractors."

Following the business session, held in the Odd Fellows' hall, a number of members of the association spoke informally on topics of every day interest to lumbermen. Among those who were called upon for talks were: H. G. Bank of the Saltwater Foxworth company, of Deming; Frank H. Hayner, general manager of the Las Cruces Lumber company of Las Cruces; F. L. Austin, secretary treasurer of the Kemp Lumber company of Roswell; George W. Grenger, of the Bascom French Lumber company, Las Cruces; R. A. Whitlock, of the El Paso Lumber company, El Paso; J. T. Fletcher, of the Western Motor Supply company, of El Paso; W. B. Miller, western representative of the Trans-River company, of Alamo, Texas; E. L. Barrow, of the Kirby Lumber company, of El Paso; G. E. Cavin, of the Cavin Lumber company, of Roswell; and J. C. Baldridge, of the Baldridge Lumber company, Albuquerque.